

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CIVIL ACTION NO. 1:24cv387 HSO-BWR

\$28,730.00 UNITED STATES CURRENCY

DEFENDANT PROPERTY

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM***

The United States of America, by and through its United States Attorney and the undersigned Assistant U.S. Attorney for the Southern District of Mississippi, brings this Verified Complaint for Forfeiture *in rem*, in accordance with Rule G(2) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions (“the Supplemental Rules”) and the Federal Rules of Civil Procedure, and alleges as follows:

**NATURE OF THE ACTION**

1. This is an action by the United States seeking forfeiture of \$28,730.00 U.S. Currency, seized on Thursday, October 10, 2024, from Joseph Kennard White (the “Defendant Property”). The Defendant Property is subject to forfeiture under 21 U.S.C. § 881 because the Defendant Property is involved in or constitutes the proceeds of drug trafficking, in violation of 21 U.S.C. § 841 (drug trafficking) and § 846 (drug conspiracy).

**THE DEFENDANT IN REM**

2. The Defendant Property consists of \$28,730.00 in U.S. Currency, seized from Joseph Kennard White, on Thursday, October 10, 2024, in Gulfport, Mississippi, within the Southern District of Mississippi, Southern Division. The Defendant Property is currently in the custody of the U.S. Marshals Service.

### **JURISDICTION AND VENUE**

3. This Court has jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345, and over an action for forfeiture *in rem* under 28 U.S.C. § 1355.

4. Venue is proper in the Northern Division of the Southern District of Mississippi pursuant to 28 U.S.C. §§ 1355(b)(1)(A) and 1395(a), because the acts and/or omissions giving rise to the forfeiture occurred in this district and/or pursuant to 28 U.S.C. § 1395(b), because the Defendant Property was found and seized in this District.

### **BASIS FOR FORFEITURE**

5. The Defendant Property is subject to forfeiture under 21 U.S.C. § 881, because the Defendant Property is involved in or constitutes the proceeds of drug trafficking in violation of 21 U.S.C. § 841 (drug trafficking) and § 846 (drug conspiracy).

6. The Controlled Substances Act, 21 U.S.C. § 801, *et seq.*, and 21 U.S.C. § 881 make subject to forfeiture to the United States any proceeds derived, and any facilitating property, from any knowing violation of 21 U.S.C. §§ 841(a)(1), 846, and 848, which is drug distribution, drug conspiracy, and continuing criminal enterprise.

7. Title 21 U.S.C. § 881(h) provided that all right, title, and interest in property described in 21 U.S.C. § 881(a) shall vest in the United States upon commission of the act giving rise to forfeiture under 21 U.S.C. § 881.

### **FACTS AND CIRCUMSTANCES**

8. A detailed account of the facts and circumstances of the seizure at issue, and the basis for this instant forfeiture action, is set out in the Declaration of Drug Enforcement Administration Task Force Officer Robert W. Drace, attached hereto as Exhibit “A,” and fully incorporated herein by reference.

**CLAIM FOR RELIEF**  
**(21 U.S.C. § 881(a)(6))**

9. Paragraphs 1 through 8 above are incorporated by reference as if fully set forth herein.

10. The Defendant Property constitutes money furnished or intended to be furnished in exchange for a controlled substance, or represents proceeds of trafficking in a controlled substance, or was used or intended to be used to facilitate one or more violations of 21 U.S.C. §§ 841 and 846 and is therefore forfeitable to the United States of America under 21 U.S.C. § 881(a)(6).

WHEREFORE, the United Stay prays

- a. that the Defendant Property be forfeited to the United States,
- b. that due process issue for seizure and forfeiture of the Defendant Property in the custody of the U.S. Marshals Service,
- c. that the Clerk of Court issue an Arrest Warrant *in rem* for the arrest of the Defendant Property under Supplemental Rule G(3)(b)(ii), which the United States will execute upon the Defendant Property located in the custody of the U.S. Marshals Service under 28 U.S.C. § 1355 and Supplemental Rule G(3)(c),
- d. that all persons having an interest in the Defendant Property be cited to appear and show cause why the forfeiture should not be decreed,
- e. that this Court decree forfeiture of the Defendant Property to the United States for disposition according to law, and

f. that this Court grant the United States such further relief as this Court may deem just and proper, together with the costs and disbursements in this action.

**RESPECTFULLY SUBMITTED**, this the 30th day of December 2024.

UNITED STATES OF AMERICA

TODD W. GEE  
United States Attorney

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CLAY B. BALDWIN (MSB 103478)  
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**VERIFICATION**

I, Robert W. Drace, hereby verify and declare under penalty of perjury, that I am a Task Force Officer with the Drug Enforcement Administration, that I have read the foregoing Verified Complaint for Forfeiture *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint for Forfeiture *in rem* are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States of America, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a law enforcement officer.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated this the 30th day of December 2024,

A handwritten signature in black ink, appearing to read 'R. W. Drace', is written over a horizontal line.

ROBERT W. DRACE  
Task Force Officer  
Drug Enforcement Administration